

[SEE SIGNATURE PAGE FOR COUNSEL NAMES]

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

EDWARDS LIFESCIENCES LLC and
ENDOGAD RESEARCH PTY LIMITED,

Plaintiffs,

v.

COOK INCORPORATED and W. L.
GORE & ASSOCIATES, INC.,

Defendants.

No. C 03-3817 JSW (WDB)

JOINT STIPULATION AND
~~[PROPOSED]~~ ORDER REGARDING
GORE'S BILL OF COSTS

This Stipulation regarding Gore's Bill of Costs is made by and between counsel for Plaintiffs Edwards Lifesciences LLC and Endogad Research Pty Limited ("Edwards"), and defendant W. L. Gore & Associates, Inc. ("Gore").

On September 15, 2008, the Court granted Gore's motion for summary judgment of non-infringement. [D.I. 747]. The Court entered judgment for Gore on September 22, 2008. [D.I. 751]. On October 6, 2008, Gore filed its Bill of Costs. [D.I. 764]. Edwards filed its objections to Gore's Bill of Costs on October 20, 2008. [D.I. 767].

The Clerk has not yet served a notice taxing costs under Local Rule 54-4(b).

Edwards and Gore have conferred and have reached an agreement and stipulation regarding Gore's Bill of Costs. Gore's Bill of Costs shall be granted in part, and Gore shall recover from Edwards its costs in the total amount of \$98,612.11.

SO STIPULATED:

Dated: October 23, 2008

SONNENSCHN NATH & ROSENTHAL

/s/ Mark J. Linderman

Mark J. Linderman (State Bar No. 144685)

JOINT STIPULATION AND ~~[PROPOSED]~~ ORDER
REGARDING GORE'S BILL OF COSTS
NO. C 03-3817 JSW (WDB)

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17 Dated: October 23, 2008

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Filer's Attestation: Pursuant to General Order 45, regarding signatures, Mark J. Linderman attests that concurrence in the filing of this document has been obtained.

JOINT STIPULATION AND ~~PROPOSED~~ ORDER
REGARDING GORE'S BILL OF COSTS
NO. C 03-3817 JSW (WDB)

[PROPOSED] ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED:

1. Gore's Bill of Costs is granted in part. Gore shall recover from Edwards its costs in the total amount of \$98,612.11.
2. The Clerk is directed not to tax costs as claimed in Gore's Bill of Costs.

Dated: October 27, 2008


Honorable Jeffrey S. White
United States District Judge

cc: Cora Delfin

JOINT STIPULATION AND [PROPOSED] ORDER
REGARDING GORE'S BILL OF COSTS
NO. C 03-3817 JSW (WDB)